

# DAILY DIGEST

Vol. 19, No. 26  
February 10,2000

\*\*Before an entry denotes that the item is part of the FCC's implementation of the 1996 Telecom Act. While we will attempt to flag all Telecom Act-related items, this marking is unofficial and informational only.

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## NEWS RELEASES

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SUNSHINE NOTICE - THE FCC WILL HOLD AN OPEN MEETING, THURSDAY, FEBRUARY 17, 2000, 9:30 AM, FCC, COMMISSION MEETING ROOM, PORTALS II, 445 12TH STREET, SW, WASHINGTON, DC. OMD. Internet URL:

[https://www.fcc.gov/Bureaus/Miscellaneous/Public\\_Notices/Agenda/2000/ag000217.html](https://www.fcc.gov/Bureaus/Miscellaneous/Public_Notices/Agenda/2000/ag000217.html)

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## PUBLIC NOTICES

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Released: February 10, 2000. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG.Public Reference Log: 02/09/00. Internet URL:

[https://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/Tariffs/combined/tt020900.pdf](https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/combined/tt020900.pdf)

Released: February 10, 2000. CINERGY CORPORATION SEEKS COMMISSION DETERMINATION OF "EXEMPT TELECOMMUNICATIONS COMPANY" STATUS FOR CINERGY TELECOMMUNICATIONS NETWORKS HOLDINGS, INC., ET AL. UNDER THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935, AS AMENDED BY SECTION 103 OF THE TELECOMMUNICATIONS ACT OF 1996 - APPLICANTS AND NSD FILE NUMBERS: CINERGY TELECOMMUNICATIONS NETWORKS HOLDINGS, INC. - ETC 00-03, CINERGY TELECOMMUNICATION NETWORKS, INC. - ETC 00-04, CINERGY TELECOMMUNICATION NETWORKS - OHIO, INC. - ETC 00-05, CINERGY TELECOMMUNICATION NETWORKS - INDIANA, INC. - ETC 00-06, CINERGY TELECOMMUNICATION NETWORKS - KENTUCKY, INC. - ETC 00-07, PLEADING CYCLE ESTABLISHED, Comments Due: March 3, 2000, Reply Comments Due: March 17, 2000. (DA No. 00-239). Contact: Network Services Division: Al McCloud at (202) 418-2499, amcccloud@fcc.gov, Marty Schwimmer at (202) 418-2320, mschwimm@fcc.gov, TTY: (202) 418-0484. Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/2000/da000239.doc](https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/2000/da000239.doc)

Report No: 44668. Released: February 10, 2000. BROADCAST ACTIONS. Internet URL:

[https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Actions/ac000210.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Actions/ac000210.txt)

Report No: 24668. Released: February 10, 2000. BROADCAST APPLICATIONS. Internet URL:

[https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Applications/ap000210.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap000210.txt)

Released: February 10, 2000. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILINGS IN PERMIT-BUT-DISCLOSE PROCEEDINGS. Contact: Barbara Lowe at (202) 418-0310. Internet URL: [https://www.fcc.gov/Bureaus/Miscellaneous/Public\\_Notices/Exparte/2000/ex000210.html](https://www.fcc.gov/Bureaus/Miscellaneous/Public_Notices/Exparte/2000/ex000210.html)

**TEXTS**

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TURNPIKE TELEVISION. Denied must carry complaint filed by Turnpike Television, licensee of low power television station W35AW (Ch. 35), Uniontown, Pennsylvania, against Helicon Cablevision, operator of a cable television system serving various communities in Greene County, Pennsylvania, seeking carriage. Action by Chief, Consumer Protection and Competition Division, Cable Services Bureau. Adopted: February 7, 2000. by MO&O. (DA No. 00-226). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/2000/da000226.doc>

COMCAST CABLEVISION. Granted complaint filed against the cable programming service tier rates charged and approved refund plan in the City of Chickamunga, GA. Action by Acting Chief, Financial Analysis and Compliance Division, Cable Services Bureau. Adopted: February 8, 2000. by Order. (DA No. 00-234). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/2000/da000234.doc>

PARAGON CABLE LOS ANGELES. Dismissed an appeal of a local rate order setting rates for basic cable service by the City of Torrance, California. Action by Chief, Consumer Protection and Competition Division, Cable Services Bureau. Adopted: February 7, 2000. by Order. (DA No. 00-232). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/2000/da000232.doc>

CENTURY CABLE OF NORTHERN CALIFORNIA, INC. Dismissed three appeals of local rate orders setting basic and equipment rates in the City of San Buenaventura, CA. Action by Chief, Consumer Protection and Competition Division, Cable Services Bureau. Adopted: February 7, 2000. by Order. (DA No. 00-234). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/2000/da000234.doc>

KEOT, INC. Issued a Notice of Apparent Liability for Forfeiture to KEOT, INC., licensee of FM broadcast station, St. George, Utah for engaging in the transfer of substantial control of this station without prior Commission consent, in apparent violation of Section 310(d) of the Communications Act of 1934, as amended. By Notice of Apparent Liability for Forfeiture. Action by Chief, Enforcement Bureau. Adopted: February 7, 2000. by NALF. (DA No. 00-227). ENF Internet URL: <https://www.fcc.gov/Bureaus/Enforcement/Orders/2000/da000227.doc>

CLEAR CHANNEL BROADCASTING LICENSES, INC. Issued Clear Channel Broadcasting Licenses, Inc., licensee of station KPRR(FM), El Paso, Texas, a Notice of Apparent Liability for Forfeiture in the amount of \$4,000, for an apparent violation Section 73.1216 of the Commission's rules, which requires licensees, among other things, to fully and accurately disclose material terms of a contest By Notice of Apparent Liability for Forfeiture. Action by Chief, Enforcement Bureau. Adopted: February 9, 2000. by NALF. (DA No. 00-238). ENF Internet URL: <https://www.fcc.gov/Bureaus/Enforcement/Orders/2000/da000238.doc>

MOSES GREENFIELD V. COMM/NET SERVICES CORPORATION. Granted the parties' Joint Motion for Voluntary Dismissal of complaint With Prejudice. Action by Chief, Market Disputes Resolution Division, Enforcement Bureau. Adopted: February 9, 2000. by Order. (DA No. 00-246). ENF Internet URL: <https://www.fcc.gov/Bureaus/Enforcement/Orders/2000/da000246.doc>

ARIZONA CELLULAR COMMUNICATION, INC. V. CITIZENS UTILITIES RURAL COMPANY, INC. Granted the unopposed motion to dismiss the complaint with prejudice, and terminated proceeding. Action by Deputy Chief, Market Disputes Resolution Division, Enforcement Bureau. Adopted: February 9, 2000. by Order. (DA No. 00-242). ENF Internet URL: <https://www.fcc.gov/Bureaus/Enforcement/Orders/2000/da000242.doc>

IN THE MATTER OF CREATION OF LOW POWER RADIO SERVICE. This Errata makes corrections to the Report and Order in MM Docket No. 99-25, FCC 00-19, released January 27, 2000. Dkt No.: MM-99-25. Action by Chief, Mass Media Bureau. MMB

IN THE MATTER OF REVIEW OF THE COMMISSION'S BROADCAST AND CABLE EQUAL EMPLOYMENT OPPORTUNITY RULES AND POLICIES AND TERMINATION OF THE EEO

STREAMLINING PROCEEDING. This Erratum corrects portions of the final rules in the Report and Order FCC 00-20, released February 2, 2000. Dkt No.: MM-98-204, MM-96-16. Action by Chief, Mass Media Bureau. Adopted: February 9, 2000. by Erratum. MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/2000/err00020.doc](https://www.fcc.gov/Bureaus/Mass_Media/Orders/2000/err00020.doc)

**ADDENDA: The following items, released February 9, 2000, did not appear in Digest No. 25:**

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**PUBLIC NOTICES**

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Report No: NCD-344. Released: February 9, 2000. COMMON CARRIER BUREAU NETWORK CHANGE NOTIFICATION. Contact: Network Services Division: Ginny Kennedy at (202) 418-2328.

Report No: 3717. Released: February 9, 2000. CABLE SERVICES ACTION. Contact: Cable Services Bureau: (202) 418-7000.

Report No: 1453. Released: February 9, 2000. CABLE TELEVISION RELAY SERVICE (CARS) APPLICATIONS RE: APPLICATIONS ACCEPTED FOR FILING.

Released: February 9, 2000. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILINGS IN PERMIT-BUT-DISCLOSE PROCEEDINGS. Contact: Barbara Lowe at (202) 418-0310. Internet URL: [https://www.fcc.gov/Bureaus/Miscellaneous/Public\\_Notices/Exparte/2000/ex000209.html](https://www.fcc.gov/Bureaus/Miscellaneous/Public_Notices/Exparte/2000/ex000209.html)

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**TEXTS**

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SUPERVALU, INC., MINNEAPOLIS, MINNESOTA. Denied Supervalu's petition for reconsideration of Forfeiture Order, NAL No. 915ST0001, issued January 19, 1999, ordered to forfeit \$11,000. Action by Chief, Enforcement Bureau. Adopted: February 8, 2000. by MO&O. (DA No. 00-235). ENF Internet URL: <https://www.fcc.gov/Bureaus/Enforcement/Orders/2000/da000235.doc>

WILLIAM L. LEAVELL, SEATTLE, WASHINGTON. Imposed a forfeiture against William L. Leavell, in the amount of \$2,000, regarding refusal to allow an inspection of radio station equipment By Forfeiture Order. Action by Chief, Enforcement Bureau. Adopted: February 8, 2000. by Forfeiture Order. (DA No. 00-231). ENF Internet URL: <https://www.fcc.gov/Bureaus/Enforcement/Orders/2000/da000231.doc>

IN THE MATTER OF FM BROADCAST STATION KNEC ARNOLD BROADCASTING COMPANY, INC., STERLING, COLORADO 80751. Imposed a Monetary Forfeiture against Arnold Broadcast Company, Inc. in the amount of \$16,000 for willful violations of rules. By Forfeiture Order. Action by Chief, Enforcement Bureau. Adopted: February 7, 2000. by Forfeiture Order. (DA No. 00-225). ENF Internet URL: <https://www.fcc.gov/Bureaus/Enforcement/Orders/2000/da000225.doc>

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The following items are corrections from previous Daily Digests.

WIRELESS TELECOMMUNICATIONS BUREAU SEEKS PUBLIC COMMENT ON PETITION TO AMEND 47 C.F.R. SECTION 22.323 TO ALLOW CMRS LICENSEES TO PROVIDE LIMITED PROGRAM DISTRIBUTION SERVICE. Comments Due: March 9, 2000, Reply Comments Due: March 23, 2000 - The Correct DA number is DA 00-160, not DA 00-140 as listed.

<a href="#">FCC HOME PAGE</a>	<a href="#">Headlines</a>	<a href="#">Commissioners</a>	<a href="#">Bureaus/Offices</a>	<a href="#">Finding Info</a>
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